

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

MARC MALLARD,

Petitioner

v.

MICHELLE EDMARK,  
IN HER CAPACITY AS  
WARDEN OF THE NEW HAMPSHIRE  
STATE PRISON FOR MEN

Respondent

**Case No:**

**MOTION TO STAY DEADLINES**

Marc Mallard, through counsel Wadleigh, Starr & Peters, P.L.L.C., hereby respectfully requests that this Court stay all deadlines and statutes of limitations pending order on his State Petition for Writ of Habeas Corpus.

As grounds for this motion, it is stated

1. On July 13, 2020, Mr. Mallard filed a State Petition for Writ of Habeas Corpus in New Hampshire Superior Court.
2. On this date, Mr. Mallard is filing a Federal Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 in the United States District Court District of New Hampshire.
3. Although the Respondent has not yet been served, Assistant Attorney General Elizabeth C. Woodcock does not object to the Stay to exhaust State remedies. Assistant Attorney General Woodcock does, however, reserve the right to object to any claim that the statute of limitations is equitably tolled.

WHEREFORE, for the above-stated reasons, Mr. Mallard respectfully requests that this Court stay all deadlines and statutes of limitations pending a ruling from the New Hampshire Superior Court on the State Petition.

Respectfully submitted,

Marc Mallard

By his attorneys,  
Wadleigh, Starr & Peters, PLLC

Dated: July 23, 2020

By: /s/ Donna J. Brown  
Donna J. Brown, Bar No. 387  
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Manchester, NH 03101  
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/s/ Michael G. Eaton  
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**CERTIFICATION**

I, Donna J. Brown, hereby certify that on this 23<sup>rd</sup> day of July 2020, a copy of the within Motion was filed through the Court's e-filing system.

/s/ Donna J. Brown